



# California Regional Water Quality Control Board

## San Francisco Bay Region



Linda S. Adams  
Secretary for  
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612  
(510) 622-2300 • Fax (510) 622-2460  
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger  
Governor

Date: May 30, 2007  
File Nos. 2179.7022 (MTC)

**To Be Sent By Email**

(Email address [legalads@angnewspapers.com](mailto:legalads@angnewspapers.com))

San Mateo County Times  
1080 S. Amphlett Blvd.  
San Mateo, CA 94402

Attn: Legal Department  
Tel: (800) 595-9595  
Fax: (510) 293-2697

Re: Legal Notice

To whom it may concern:

The attached notice is submitted for legal publication for one day, to be published no later than June 6, 2007. We request you notify us immediately if this cannot be done.

Please bill us as follows:

California Regional Water Quality Control Board  
San Francisco Bay Region  
1515 Clay Street, Suite 1400  
Oakland, CA 94612  
Attn: Ms. Anita Jones

A copy of the advertisement and two affidavits of its publication must be attached to your bill. If you have any questions, please contact Michael Chee at (510) 622-2333 or e-mail address [mchee@waterboards.ca.gov](mailto:mchee@waterboards.ca.gov).

Sincerely,

Lila Tang, Chief  
NPDES Wastewater Division

Attachment: Notice of Public Hearing



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### NOTICE OF PUBLIC HEARING TO CONSIDER ADMINISTRATIVE CIVIL LIABILITY FOR CITY OF PACIFICA SAN MATEO COUNTY

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) Executive Officer has issued an administrative civil liability complaint (Complaint) proposing a civil liability of \$190,000 against City of Pacifica (Discharger) for discharging 253,000 gallons of raw sewage into Calera Creek and adjacent wetlands on December 3, 2005. The Regional Water Board will hold a hearing on the Complaint as follows:

Date and Time: August 8, 2007, 9:00 a.m.  
Place: Auditorium, 1515 Clay St., Oakland

No hearing will be held if the Discharger waives its right to a hearing and agrees to pay the proposed civil liability as set forth in the Complaint, provided no significant public comments are received during the public comment period. At the hearing, the Regional Water Board may affirm, reject, or modify the proposed civil liability, or refer the matter to the Attorney General for judicial enforcement.

#### **Hearing Procedures**

A copy of the procedures governing an adjudicatory hearing before the Regional Water Board may be found at Title 23 of the California Code of Regulations, § 648 *et seq.* Except as provided in these regulations, Chapter 5 of the Administrative Procedures Act (commencing with § 11500 of the Government Code) does not apply to adjudicatory hearings before the Regional Water Board.

Any persons objecting to the hearing procedures set forth herein must do so in writing by June 15, 2007, to the contact listed below.

#### **Hearing Participation**

Other than prosecutorial staff, participants at the hearing are either designated as “parties” or “interested persons.” Designated parties to the hearing may present evidence and cross-examine witnesses. Designated parties are subject to cross-examination. Interested persons may present

non-evidentiary policy statements, and are not subject to cross-examination. Interested persons may not cross-examine parties, but may be asked to respond to clarifying questions.

The following participants are hereby designated as parties at the hearing:

City of Pacifica

To ensure that all participants have an opportunity to participate in the hearing, the following time limits shall apply: prosecutorial staff and Discharger shall each have **20 minutes** to testify, present evidence, and cross-examine witnesses, and each interested person shall have **3 minutes** to present a non-evidentiary policy statement.

Dorothy Dickey, staff counsel with the State Water Resources Control Board, Office of Chief Counsel, regularly advises the Regional Water Board. With regard to this matter, however, Ms. Dickey has been assisting Regional Water Board staff in the prosecution. Ms. Dickey has not provided and will not provide advice to the Regional Water Board in connection with this matter before the Regional Water Board's final action in the matter.

#### **Written Comment and Evidence Deadline**

The deadline to submit any and all written comments and evidence to be offered at the hearing is **5 p.m. on July 6, 2007**. Persons shall submit **fourteen (14) copies** to Mr. Mike Chee at 1515 Clay Street, Suite 1400, Oakland, CA 94612.

#### **Questions**

Questions concerning this matter may be addressed to prosecutorial staff Mr. Mike Chee at 510-622-2333 or [mchee@waterboards.ca.gov](mailto:mchee@waterboards.ca.gov).

#### **Evidentiary Documents and File**

The Complaint and related documents are on file, and may be inspected or copied at the Regional Water Board's offices during weekdays between 8:00 a.m. and 5:00 p.m. The Complaint is also available on the Regional Water Board's website at [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay).

5/30/07

DATED

Lila Tang

Lila Tang, NPDES Division Chief